

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Michael Cafaro, et al.

Serial No.: 10/821,109

Filed: April 8, 2004

For: ION CURLING IRON AND  
STRAIGHTENER

Group Art Unit: 3732

Examiner: Running, R.

Atty. Dkt. No.: HEL177/78001/4-010US

**DECLARATION UNDER 37 C.F.R. 1.131**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

We, Michael Cafaro, Gary Koenemann, and Rick Placencia, declare the following:

1. We are the joint inventors of all claims in U. S. Patent Application Serial No. 10/821,109 identified above. We, Michael Cafaro, Gary Koenemann and Rick Placencia are the only inventors of all subject matter described in this application.

2. Prior to September 16, 2003, the filing date of the Cha reference, (United States Patent Publication No. 2005/0056631), we had conceived and tested the claimed subject matter in the application identified above in the United States, as evidenced by the invention disclosure attached hereto as Exhibit A. This invention disclosure was prepared prior to September 16, 2003, and thus evidences our conception and reduction to practice of the disclosed invention prior to the filing of the Cha reference.

3. The invention disclosure supports prior invention. It contains the drawings that embody the design of the ion curling iron and flattener. These drawings are substantially identical to the drawings submitted with this application. This disclosure also contains a description of the invention of "a hair styling curling iron and flat straightener with fast heat-up performance which also generates negative ion airflow." It goes on to describe the manner in which this invention is achieved.

4. We declare that all statements made above of our own knowledge are true, and that all statements made on the information we believe to be true. Further, we declare that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this application or any patent issued thereupon.

Signature:   
Michael Cafaro Date 02-18-08

Signature:   
Gary Koenemann Date 02-19-08

Signature:   
Rick Placencia Date 2/19/08